

1 BELLSOUTH TELECOMMUNICATIONS, INC.
2 SURREBUTTAL TESTIMONY OF ERIC FOGLE
3 BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
4 DOCKET NO. 2003-326-C
5 MARCH 31, 2004
6

7 Q. PLEASE STATE YOUR NAME, YOUR POSITION WITH BELLSOUTH
8 TELECOMMUNICATIONS, INC. ("BELLSOUTH") AND YOUR BUSINESS
9 ADDRESS.
10

11 A. My name is Eric Fogle. I am employed by BellSouth Resources, Inc. as a
12 Director in BellSouth's Interconnection Operations Organization. My business
13 address is 675 West Peachtree Street, Atlanta, Georgia 30375.
14

15 Q. ARE YOU THE SAME ERIC FOGLE WHO FILED REBUTTAL TESTIMONY IN
16 THIS DOCKET?
17

18 A. Yes.
19

20 Q. WHAT IS THE PURPOSE OF YOUR SURREBUTTAL TESTIMONY?
21

22 A. My surrebuttal testimony responds to portions of the rebuttal testimony of Mark
23 David Van de Water of AT&T Communications of the Southern States, LLC
24 ("AT&T"), and Sherry Lichtenberg of MCI WorldCom Communications, Inc. and

1 MCIMetro Access Transmission Services, Inc. ("MCI").

2
3 Q. ON PAGE 11 OF HER REBUTTAL TESTIMONY, MS. LICHTENBERG
4 CRITICIZES THE IMPACT OF THE BATCH ORDERING PROCESS ON LINE
5 SPLITTING AND OPINES THAT BELL SOUTH MUST CHANGE THE PROCESS
6 SO THAT THE CUSTOMER'S LINE SPLITTING ARRANGEMENT IS NOT
7 TAKEN DOWN. PLEASE COMMENT.

8
9 A. First, Ms. Lichtenberg's 'understanding' of when a "customer is served by a
10 Unbundled Network Element Platform ("UNE-P") voice Competitive Local
11 Exchange Carrier ("CLEC") and a data CLEC over a line splitting configuration" is
12 flawed. As I explained in my rebuttal testimony, line splitting service is not
13 compatible with a UNE-P arrangement, as a splitter has been inserted between
14 the UNE port and UNE loop that were previously combined and provided to the
15 CLEC as a UNE-P. Since CLECs that use line splitting do not, by definition, use
16 UNE-P, there is no process that converts UNE-P customers to UNE-Ls that will
17 affect the Digital Subscriber Line ("DSL") service of the end-user customer.

18
19 Second, Ms. Lichtenberg continues by saying that "a process that does not allow
20 the customer to retain his or her data provider when he moves to UNE-L is not
21 acceptable..." As outlined in my rebuttal testimony, if a CLEC is concerned
22 about the impact a change in the switch provider for the voice service would have
23 on DSL service, then the CLEC can easily address this concern by installing and
24 maintaining its own splitters, and performing the change of the voice service
25 switch provider without any assistance from BellSouth and without any

1 interruption of the data service. By the CLEC installing its own splitter, the UNE-
2 Loop carrying the combined voice and data services is terminated on the CLECs
3 splitter, and all necessary wiring (including subsequent changes) for both the
4 voice service and the data service is within the complete control of the CLEC.
5 The simplest approach to resolving Ms. Lichtenberg's concerns remains one in
6 which the CLECs maintain and manage their own splitters.

7
8 Since the TRO does not require BellSouth to provide a splitter, BellSouth has
9 met its obligations. Moreover, there is a process that the CLECs can follow,
10 even in the circumstances when BellSouth voluntarily provides a splitter, that
11 allows the end-user to retain his or her data provider after a momentary
12 disconnect (necessary when the CLEC moves the end-user's service from a
13 BellSouth splitter to a CLEC splitter), because the UNE Loop portion of the
14 service can be reused with the new service arrangement.

15
16 Q. ON PAGE 3 OF HIS REBUTTAL TESTIMONY, MR. VAN DE WATER STATES
17 THAT "BELLSOUTH IGNORES THE BASIC REALITY THAT ITS 'BATCH'
18 ORDERING PROCESS EXCLUDES CUSTOMERS WHO OBTAIN DIGITAL
19 SUBSCRIBER LINE ("DSL") SERVICES VIA A LINE-SPLITTING
20 ARRANGEMENT..." PLEASE COMMENT.

21
22 A. BellSouth does not ignore the fact that the batch ordering process excludes
23 customers that obtain their DSL service via a line splitting arrangement.
24 BellSouth's batch process is efficiently designed to move large numbers of CLEC
25 customers provisioned via UNE-P to UNE-L. The introduction of the splitter

1 between the UNE port and the UNE loop breaks up the UNE-P, and therefore
2 excludes line splitting lines from the batch ordering process. Additionally, and
3 perhaps more importantly, at the end of 2003 there was a total of 1,506 line
4 splitting lines provisioned at the request of CLECs region-wide. With fewer line
5 splitting lines in service than there are BellSouth central offices (that is, on
6 average there is less than one line splitting arrangement per BellSouth central
7 office), no batch migration process is necessary.

8
9 Q. DOES THIS CONCLUDE YOUR SURREBUTTAL TESTIMONY?

10 A. Yes.